

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

LENZIE GILL, )  
                  )  
Plaintiff,     )  
                  )  
vs.              )     CASE NO: CV-06-1151-MHT  
                  )  
PROGRESSIVE DIRECT )  
INSURANCE COMPANY, )  
                  )  
Defendant.     )

**MOTION FOR SUMMARY JUDGMENT**

Comes now the defendant, Progressive Direct Insurance Company (“Progressive”), pursuant to Rule 56 of the Federal Rules of Civil Procedure and moves the court to enter a summary judgment in its favor on the ground that there is no genuine issue as to any material fact and it is entitled to judgment as a matter of law.

This motion is based upon the pleadings, the Progressive policy, and the affidavit of Larry Lackey. Progressive is submitting a memorandum brief in support of its motion.

/s/ R. Larry Bradford  
R. Larry Bradford, Attorney for Defendant  
Progressive Direct Insurance Company  
Attorney Bar Code: BRA039

/s/ Shane T. Sears  
Shane T. Sears, Attorney for Defendant,  
Progressive Direct Insurance Company  
Attorney Bar Code: SEA026

OF COUNSEL:

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Birmingham, AL 35216

**CERTIFICATE OF SERVICE**

I hereby certify that I have this the 16<sup>th</sup> day of May, 2007, served a copy of the foregoing to all attorneys of record by placing a copy of same in the United States Mail, postage prepaid and properly addressed as follows:

Jerry M. Blevins, Esq.  
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/s/ Shane T. Sears  
OF COUNSEL